PART III—Section 3

NOTIFICATIONS RELATING TO LOCAL SELF-GOVERNMENT

OFFICE OF THE PRESIDENT, TOWN MUNICIPAL COUNCIL, DODBALLAPUR.

Notification dated 28th June 1963.

No. M.C. P. R. 96/63-64. In supersession of all previous bye-laws in force, notice is hereby given under Schedule VII Clause (b) of Section 62 of the Town Municipalities Act, 1951 to the inhabitants of the Municipality of Dodballapur Town that the Municipal Council, Dodballapur has resolved as per resolution No. 5 of 30th May 1963 to adopt and introduce the Model Bye-laws framed by Government in their notification No. L. 1854-Ml. 109-53-2 dated Bangalore, 11th May 1953 to regulate all matters and things connected with supply and use of water in the Municipality.

Any inhabitant of the Municipality objecting to the introduction of the proposed bye-laws may, within one month from the date of publication of this Notice and bye laws send his objections in writing to the Munipal Council, Dodballapur. Objections received after the prescribed time will not be considerad,

Bye-laws framed to regulate all matters and things connected with supply and use of water by the Town Municipal Council, Dodballapur, under Section 48 (1) (1) of the Mysore Town Municipalities Act, 1951.

1 These bye-laws shall be called Bye-laws for the supply of water in Town Municipalities.

2 Definition.—In these bye-laws unless there is something repugnant in the subject or context.—

(i) 'Department' shall mean the Water Supply Department under the Municipal Council.

(ii) 'Authorised Officer' shall mean the officer-in-charge of the water supply and works connected therewith or any other officer authorised by the Town Municipal Council.

(iii) 'Consumer' shall mean any corporate body, person or persons consuming water supplied by the Department and shall include the owner of such premises as are supplied with water by the Department.

(iv) 'Licensed Plumber' hereinafter called 'Plumber' shall mean any person engaged in pipe laying and fitting and licensed by the Department under the rules framed by it in this behalf.

(v) 'Premises' shall mean any house or building inclusive of the grounds attached thereto or its part or any tenement thereof in respect of which water is supplied or applied for.

(vi) 'The departmental stop cock or valve' shall mean the gland cock or valve fixed outside the premises and supplied by the owner but operated by the department.

(vii) 'Supply pipe' shall mean that portion of the pipe line between the departmental stop valve nearest the main and the entrance to the premises.

(viii) 'Communication pipe' shall mean that portion of the pipe line between the main and the departmental stop valve.

(ix) 'Service pipe' shall mean that portion of the pipe laid within the premises.

(x) 'Storage cistern' shall mean any cistern for containing the departmentally supplied water but shall not include a cistern for storing hot water or water for flushing or other sanitary needs.

(xi) 'Sources and means of water supply' include any water supply installation and private wells which are used by the public.

(xii) The President in his absence the Vice-President or any other officer authorised by the Town Municipal Council may exercise and perfrom the duties provided in these bye-laws.

3 The water supply Department shall be responsible for all works connected with the supply of water to the places within the Muncipal area.

4 *Purpose of supply of water.*—The supply of water under the rules is intended ordinarily for *bona fide* domestic purpose and the water so supplied shall not be used for any other purpose without the previous permission in writing from the President or Vice-President of the Town Municipal Council.

A supply for '*bona fide* domestic purposes' shall mean a supply made to dwelling or residential quartars for drinking, cooking, bathing and such other domestic purposes and shall not include a supply for horses, or for washing carriages or a supply to any of the nondomestic concerns mentioned below :—

All institutions of an Industrial, Commercial or business nature and also Coffee Clubs, Restaurants, Tiffin Rooms, Hotels, Theatres, Clubs or recreation, Dairy Farms, Motor Garages, Stables etc., used for hire or business, nurseries, fruit or flower gardens and all premises where constructions or alterations of buildings are going on, and all premises which are taxed by the Municipality at rates other than those for dwelling houses shall be treated as non-domestic for the purpose of these bye-laws.

5 No water cart or lorry shall take water from public fountains installed for *bona fide* domestic purposes. Water may be drawn for watering public roads, flushing drains and other Municipal purposes from duly metered public fountains and connections separately provided for the purpose at the cost of the Municipal Council.

6 The President or the Vice-President may subject to the conditions to be determined by him in this bshalf, supply water for other than domestic purposes.

7 *Installation and removal of public fountains.*—Public fountains shall ordinarily be located at distances of not less than 600 feet apart. The President may remove or close or shift the public fountains in consultation with the Municipal Council.

The President or the authorised officer may close temporarily any public fountain found to be misused or contaminated.

8 *Erection of public fountain by private donors.*—Private individuals may be allowed to erect public street fountains for dedication to public use on the following conditions :—

(i) That their number is strictly restricted to *bona fide* public requirements of particular localities which shall be decided in consultation with the Municipal Council ;

(ii) That they shall be subject to the same condition as are applicable to other Municipal public fountains ;

(iii) That their maintenance and repair costs shall be borne by the Municipality in the absence of any specific donor ;

(iv) That their free and unobstructed use by the public for domestic purposes be duly safeguarded and no special privilege be claimed by the donor ; and

(v) that they are not placed close to any other public fountain at a distance of less than 600 feet.

9 *Application for house connections.*—The owner or consumer shall make an application for water connection in the form prescribed by the Department to the authorised officer through a licensed plumber. The application shall be accompanied by a certificate of ownership of the house of the Municipal assessment receipt with details of the annual rental value, the Municipal Deposit receipt for the road cutting of repair charges, a detailed estimate of cost of connections, and sketches of the several houses in the compound and the details of layout of the pipe service, in relation not only to the departmental distribution lines running close by, but also to the public and private drains, latrines, etc.

10 *Plumbers register of house connections.*—The plumber shall maintain a register of such applications sanctioned and completed and shall submit the same before the 5th of each month to the authorised officer.

11 *Plumber's notice for getting connection.*—The plumber executing the work shall give atleast two days notice to the authorised officer for getting connections with the Departmental distribution line.

12 *Service connection by whom given.*—The service connection shall be given by the authorised officer of his subordinate empowered by him in this behalf in the presence of the plumber and the consumer or owner.

13 *Connection to mains.*—Such connection with the Department public main shall be in accordance with the subsidiary rules issued from time to time by the department in this behalf.

14 The work shall not be commenced until after the departmental approval is communicated inwriting to the consumer or owner through the concerned licensed plumber.

15 *Quality of pipes and fittings.*—No person, shall for the purpose of conveying, delivering receiving or using the water supplied by the department, fix, fit or use any pipe, tap, valve cock, cistern or any other water fittings or sanitary applicances which shall not be the quality and strength prescribed by the department. No consumer or owner shall be entitled for the supply of water, unless and until such pipes and fittings and the laying and fixing thereof are approved by the authorised officer.

16 *Rates for materials and work.*—A schedule of rates chargeable for the materials and for the execution of work as in force at the time shall be kept by the department for the information of the consumers or owners.

17 *Specifications prescribed.*—The Department may by subsidiary rules, prescribe the size, nature, materials, workmanship strength and mode of arrangement, connection, disconnection, alteration and repair of pipes, meters, cocks, ferrules, valves, soil, pans, water closets, baths, cisterns and other apparatus and forbid any arrangements and use of any water fittings which may allow or tend to allow any waste undue consumption, misuse, erroneous measurement or contamination.

18 *Extension of connections.*—In cases where the consumer or owner applies for extension of the existing connections he shall not be required to alter or renew the fittings existing on the date of applications unless, in the opinion of the authorised officer, they are so defective or located in such a position as to cause or likely to cause obstruction to the water supplied by the department or result in waste, undue consumption misuse or contamination of the water.

19 *Communication of pipes.*—No premises which has been separately assessed to Municipal tax shall except with the special permission in writing of the president be supplied with water by more than one communication pipe.

20 *Conditions for a pipe connection.*—Every separately assessed domestic premises shall be entitled to have its own separate communication pipe, subject, however to the capacity and the pressure of the distribution of submain nearest to the premises permitting the grant of such connections.

21 *Connection from nearest distribution line.*—The water connection shall as a general rule, be taken from the nearest distribution line feeding the locality wherein the premises is situated. Special connections from other submains shall be subject to the express orders of the President.

22 The President or the authorised Officer may, if, at any time, he deems it necessary in the interests of the supply o alter the position of an existing connections with any public main or of the communication pipes or fittings thereof, direct such alteration after giving not less than two days notice in writing to the person concerned. The cost of all such alterations up to the departmental stop valve shall be borne by the Department.

23 Except under a written agreement with the department and subject to its conditions, no consumer shall fix, fit or use on any premises, any self acting sanitary or other outfit on the departmental water supply service line. Such a connection may not be granted by the department except when conditions of supply admit such extra consumption in the opinion of the officer in charge of the water supply.

24 *Accessibility.*—Every pipe or fitting within a building shall as far as practicable, be so placed as to admit of easy access, examination, repair or renewal.

25 *Departments stop cock on supply line.*—Every connection shall have, just outside the premises and in an easily accessible position, valve or gland or cock of the approved pattern with minimum diameter of ½ inch and not more than the diameter of the supply pipe. This valve or cock shall be supplied by the consumer. Such valve or cock if below the ground level shall be suitably protected by a box in the pproved pattern, supplied to the consumer by the department at the consumer's cost.

Every such gland shall be provided with a detachable check nut, union joint near to it for facility of connecting or disconnecting service.

In the case of existing services where the original gland cocks are either far away from the premises or other wise inaccessible separate additional gland cocks and check nut joints shall be provided by the consumers when and where required by the authorised officer.

26 *Communication and other pipes not to be laid through insanitary places.*—No communication or other pipe shall be laid so as to pass into or through any sewer, drain, laterine, manhole or ash pit or manure pit. Such pipe shall not be allowed to remain in contact with any foul smelling or injurious materials. In unavoidable cases adequate protection to the pipe shall invariably be provided by carrying it through an exterior cast iron tube or in any other suitable manner approved by the authorised officer.

27 *Depth of pipes underground.*—Pipes laid in open ground shall be atleast 1½ feet below the ground level.

28 Pipes intended to carry water supplied by the Department shall not be allowed to carry water supplied from any other source.

29 Storage Cisterns.—In every case where the water is to be supplied to a storage cistern, a suitable control value with an automatic arrangement for closing the inlet

shall be provided. In addition to this a warning pipe shall also be fitted near to the cistern in such a manner that overflowing water from the same can be easily noticed by the consumer or departmental staff.

NOTE:—A warning pipe is a pipe fixed at the maximum water level of the cistern to indicate the overflow therefrom.

30 A storage cistern reservoir or storage tank shall be provided whith a dust and water proof cover and a ventilator and shall be so placed as to admit of ready inspection and repairs and cleaning and shall be free from contamination. The position of the warning pipe of the cistern shall not be altered except with the approval of the authorised officer.

31 A cistern buried or excavated in the ground shall be provided with a reflux valve to prevent the back flow of the water to the pipe line and shall be so constructed as to ensure the water tightness as well as the imperviousness of the cistern to outside contamination. The authorised officer may inspect and cut off the service to such a cistern whenever contamination or misuse or any defect in construction is noticed.

32 Unless otherwise specially authorised, no consumer shall be allowed to take water through any boiler, water-closet or sanitary appliances, except from a storage cistern of the approved specification.

33 Removal or alteration or extension of pipes.—The owner or consumer shall before starting the removal or alteration or extension of any pipe, give not less than 15 days notice there of to the authorised officer and deliver an application through a duly licensed plumber in the form prescribed by the Department.

34 Only licensed plumbers to execute works.—All water connections or alterations or extensions or repairs to any water connection shall be done by departmental agency or by the licensed plumbers.

35 Meters.—For every connection, there shall be provided at the cost of the Municipality or Government and maintained in due working order, a water meter for the accurate gauging of the water consumed provided that the authorised officer may dispense with such meters in the case of connections which, in the opinion of the Department are not likely to consume more water than the free allowance to be granted thereto.

36 The meter, shall wherever practicable be placed inside the premises of the consumer, who shall be held responsible for any damage or tampering with the meter. He shall be liable to pay the cost of making good such damages and to the penalty hereinafter imposed under the Rules.

The President may, subject to the approval of the Council assess the damages caused and recover the same in the manner prescribed for the recovery of other damages.

37 Meter reading.—The meter shall be read between the 8th and the end of the month generally, between the hours of 7-30 A.M. and 4-30 P.M. and recorded on meter cards hung up by the side of the electric meter cards or in any safe and prominent portion of the house. The consumer shall be responsible for the safety of the card.

38 Dispute about meter reading.—Protests or disputes connected with the meter reading shall be lodged within fifteen days after the monthly readings are recorded on the meter card mounted in the premises. No complaints received after this period shall be entertained.

39 The Municipal Council reserves to itself the right to make its own tests, free of cost, at any time after giving due notice of the same to the consumer.

40 If on examination, any meter is found to be out of order, the consumption during the period since the last reading till the meter is required or a new meter installed shall be calculated at the average daily consumption of the last six months during which in the opinion of the authorised officer, the meter was recording properly and the consumption of water was not for any reasons abnormal.

41 Free allowance of water.—The free allowance of water consumed for domestic connection shall be regulated as follows:—

For every one rupee of the annual rental value of the premises, the authorised free allowance shall be 100 gallons per annum, but in no case, shall such free allowance be less than 3,000 gallons or more than 10,000 gallons per month. In the case of houses containing flushing latrines, however, an additional free allowance of 750 gallons per month shall be allowed in respect of each such latrines, provided that the concession shall not apply to more than two such latrines in a single house or premises.

The same rates shall apply to Government buildings used for residential purposes.

But in the case of Government residential buildings like police lines, Nurses Quarters, etc., the free allowance fixed is without restriction of the maximum limit.

42 In case of new premises, free allowance shall be granted from the date of municipal assessment has effect provided that the construction of work is over and the premises is used for *bona fide* domestic purposes. In the absence of the Municipal receipt for payment of assessment the minimum free allowance fixed under these bye-laws shall be allowed, provided that the construction work is over and the house or premises is occupied for domestic purposes. The correct free allowance shall be granted only on production of the said Municipal receipt. But in no case shall free allowance be granted for the period not covered by the Municipal assessment.

43 Applications for the modifications in the quantity of free allowance allowed by the Department to any premises and noted on the bill sent every month shall be made within 15 days from the date of the bill. No complaints received after this period shall be entertained.

44 Same premises with separate consumers.—Whenever the Municipal Council assess a premises separately the Department may give a separate connection thereto. But where more than one building is existing on the same premises occupied by different consumers but under a single assessment no separate free allowance shall be given to each such undivided building.

45 Several houses supplied by one pipe.—(a) In the case of blocks of houses situated in one and the same compound a d separately assessed by the Municipality and having only one meter supply connection where conditions do not admit of giving separate water supply connections on account of insufficiency of main, etc., the total rental value of the houses shall be taken into consideration for purposes of calculating free allowance, subject however, to the minimum of 3,000 gallons and maximum of 10,000 gallons.

(b) In the case of a house, the assessment of which has been split up by the Municipality thereby entitling the owner to a separate water connection to each such sub-assessed house, it shall be incumbent on the owner to apply for a separate water connection to each sub assessed house and where conditions do not permit of separate connections being given, due to insufficiency of main, etc., the free allowance shall be calculated on the total rental value of the block as a whole and not on the independent rental value of each such sub-assessed house in the block.

46 In the case of premises used partly for domestic and partly for any of the non-domestic purposes the President

shall decide the portion of the premises eligible for free allowance and fix the quantity thereof. An appeal shall lie, against the decision of the President to the Council whose decision shall be final.

47 Whenever the person ceased to occupy the premises supplied with water or to use the water, he shall send a written notice to the authorised officer. In case of his failure to do so, the department may proceed against the person or the owner to recover any charges that may become due including those for excess consumption or wastages occurring during the period of non-intimation to the authorised officer.

48 Inspection of premises.—The authorised officer may enter any house, building or land to which water is supplied to examine if there be any waste or misuse of water or if there is dispute about the supply of water and for inspecting the water fittings for conveying, receiving, storing and measuring water or for removing the instruments belonging to the department. But this power of entry shall be exercised only between the hours 7-30 A.M. and 5-30 P.M. and at other times of the day with previous intimation of not less than six hours to the consumer or owner, or in his absence to the members of his family.

49 Report of wastage of water.—In every case where water supplied to a premises is observed to go to waste by leakage of pipes, the consumer shall immediately telephone from the nearest Police Station or otherwise give immediate notice to the office of the authorised officer or to the water service stations of the water works so as to enable necessary action being taken temporarily to arrest the wastage with the help of the departmental staff. The subsequent repairs can be effected through the licensed plumber after duly intimating to the authorised officer, the details thereof.

50 The water supply cut off by the department shall not be restored as long as the wrongful act or omission for which the supply was cut off continues.

51 Power to cut up Municipal roads, drains and other structures.—The President or the authorised officer may cut open any road for the purpose of laying new or repairing the existing pipe lines provided that previous notice not less than three days be given to the Municipality except in very emergent circumstances. He shall be responsible for bringing the portion so cut up to the normal level and hardness. But the Municipal Council shall be responsible for reconditioning the road according to its original quality.

52 In the case of Municipal drains, structures, and other property which may have to be removed, the President or the authorised officer shall be responsible for their complete restoration.

53 Whenever more than half the road width has to be opened out or any serious and prolonged obstructions to traffic is likely to be caused, the President or the authorised officer shall cause a week's notice to be given. This rule shall not apply to cases of emergency occasioned by accidents, burst on pipe lines, fire or other causes, requiring immediate action on the part of the department.

54 The Executive Engineer or the authorised officer shall have power to stop or reduce the supply in the public main or sub-main for repairs or renewals without any notice on emergent occasions. But in ordinary cases when the stoppage is over an extensive area or is due to exigencies which can be foreseen such previous notice as is possible under the circumstances, shall be given by beat of drum or other means.

55 Breaking up of a Municipal pavement, road on other property during pipe laying.— In every case where the Municipal pavement, drain road, manhole or other property is likely to be effected during the laying of the pipes for any premises the consumer or on his behalf the licensed plumber shall be responsible for giving sufficient notice thereof to the Municipal Council. He shall also subject to the same control. restrictions and obligations to the Municipal Council during the period of such work, as the department itself is, including the liability for any penalties recoverable for delay, inconveniences and incomplete or unsatisfactory finishing of the works connected with the affected portions.

56 Removal of pipe fitting by consumer or owner.—Any consumer or owner may get his pipe removed provided he gives at least fifteen days notice through a licensed plumber to the President or the authorised Officer. Every such consumer shall compensate the department for any injury or damage to the departmental pipe lines.

57 Use of water.—The water supplied by the Department shall be used only for the specific purposes permitted.

Any fittings and branch pipes for non-domestic use on a domestic supply or *vice versa* or those which are out of use of otherwise defective, shall be removed and the connections properly sealed when required, by the authorised officer. Should the consumer or the owner fail to comply with such requisition, the authorised officer may enter any house or premises and execute the required work: and the expenses thereof shall be recovered from the consumer or the owner in the same manner as other charges are recoverable under the rules.

58 Hose pipe connections prohibited.—Hose pipes shall not be used from any connections metered or unmetered except with the permission of the department in writing and all water drawn through such pipe shall be separately charged for. Every such pipe shall have a gland cock at the delivery end.

59 All pipes, taps fitting, etc., forming part of private connections of a consumer up to and inclusive of the stop cock nearest the supply main shall in the absence of any agreement to the contrary be the property of the owner of the said premises.

60 In the case, however, of the communication pipe and the stop cock the department shall have the liberty to operate them for purpose of management and control. The meters or other appliances for measuring or limiting the amount of water supplied which may be installed by the department within or outside the premises shall be the property of the department.

61 Any public submain or distribution pipe line laid by a private donor as a contribution work shall be duly handed over to the department for operations and maintenance. The owner shall not have control over such lines.

62 Applicability of rules to public institutions.—The foregoing bye-laws and rules apply *mutatis mutandis* to all public institutions such as schools, colleges, hostels, hospitals and public offices, etc., the supply allowed in each case free of charge being determined by the department and any excess used over and above the free supply as measured by the meter being paid for by the institution concerned at the rates prescribed.

63 Liability of the department for non-supply:—Whether for domestic or for non-domestic purposes the department or the Municipal Council is not liable in the absence of a contract to the contrary to any peralty or damages for non-supplying water, if such non-supply arises from accidents to pipe lines, bursts, shut down of power and unusual drought or other unavoidable causes beyond its control.

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A. NEELAKANTAIAH, *President.*